

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
TEXARKANA DIVISION

ANTONIUS MARTIN

PLAINTIFF

v.

Civil No. 4:18-cv-04063

SHERIFF JACKIE RUNION, *et al.*

DEFENDANTS

**ORDER**

On April 24, 2018, Clifton O. Solomon filed a civil rights case pursuant to 42 U.S.C. § 1983 on his own behalf and on behalf of Plaintiff and other inmates of the Miller County Detention Center. As Clifton Solomon could not represent other inmates, the claims were severed and this case was opened on behalf of Plaintiff.

An order (ECF No. 2) was entered directing Plaintiff to file an amended complaint and an *in forma pauperis* application by May 15, 2018. Plaintiff failed to do so. On May 8, 2018, all mail sent to Plaintiff was returned as undeliverable (ECF No. 4) with a notation that he was no longer incarcerated in the Miller County Detention Center. Plaintiff has not apprised the Court of his current address.

The Federal Rules of Civil Procedure specifically contemplate dismissal of a case on the ground that the plaintiff failed to prosecute or failed to comply with orders of the court. Fed. R. Civ. P. 41(b); *Link v. Wabash R.R. Co.*, 370 U.S. 626, 630-31 (1962) (stating that the district court possesses the power to dismiss *sua sponte* under Rule 41(b)). Accordingly, as Plaintiff has failed to comply with this Court's order and failed to prosecute this matter, the Court finds that this case should be and hereby is **DISMISSED WITHOUT PREJUDICE**.

**IT IS SO ORDERED**, this 20th day of June, 2018.

/s/ Susan O. Hickey  
Susan O. Hickey  
United States District Judge